

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

JODY CHUBBS

REDACTED

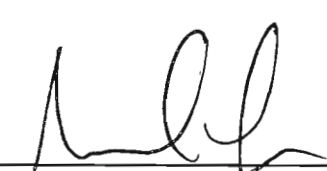
CASE NUMBER: 07-145 M (MPT)

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. From on or about April 18, 2007 to on or about May 31, 2007, in New Castle and Kent Counties, in the District of Delaware, defendant Jody CHUBBS, knowingly executed and attempted to execute a scheme and artifice to defraud and to obtain moneys, funds, and assets owned by and under the custody and control of Sun National Bank, a financial institution the deposits of which are and were then insured by the Federal Deposit Insurance Corporation, in violation of Title 18 United States Code, Section(s) 1344.

I further state that I am a(n) Special Agent, U.S. Secret Service and that this complaint is based on the following facts
Official Title

See attached Affidavit

Continued on the attached sheet and made a part hereof: Yes



Michael S. Armstrong
Special Agent, U.S.S.S.

Sworn to before me and subscribed in my presence,

August 7, 2007 at Wilmington, DE
Date City and State

The Honorable Mary Pat Thyng
United States Magistrate Judge
Name & Title of Judicial Officer



Signature of Judicial Officer



AFFIDAVIT

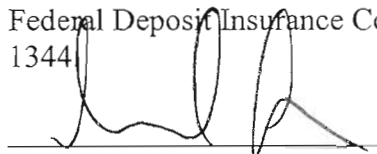
I, Michael S. Armstrong, being duly sworn, depose and say:

1. I am a Special Agent with the United States Secret Service and have been so employed since February 2003. I am currently assigned to the Wilmington, Delaware, Resident Office. My duties include the investigation of federal crimes including access device fraud, credit card fraud and computer fraud. The training given to U.S. Secret Service Special Agents includes approximately six months of field and classroom training in all aspects of access device fraud, including the detection of such crimes. Prior to my employment with the U.S. Secret Service, I graduated from the Delaware State Police Academy and was employed as a Police Officer with the Rehoboth Beach and Bethany Beach Police Departments for five years.
2. This investigation is based on information provided to me by a Detective with the Delaware State Police ("DSP") Financial Crimes Unit resident at Troop #2. In turn, the Detective received information from representatives of the victim banks and institutions.
3. This investigation concerns the activities of Jody Chubbs ("Chubbs"), a female resident of Middletown, Delaware. The investigation has determined that Chubbs and her husband, Keith Chubbs, own and operate several businesses from their Middletown, Delaware residence, including, but not limited to, Chubbs Towing, aka Chubbs Towing LLC, First State Filter and Fabrication, AAA Towing, and J&K Enterprises.
4. In or about May, 2007, the DSP Financial Crimes Unit was contacted by a fraud investigator employed by Citizens Bank. The fraud investigator indicated that on or about March 28, 2007, Chubbs opened account number xxxxxx1584 at the Middletown, Delaware branch of Citizens Bank in the name of "Chubbs Towing," and listed Chubbs' home address in Middletown as the account address.
5. On or about April 11, 2007, Chubbs deposited into Citizen Bank account number xxxxxx1584 three Bank One checks (check numbers 1013 for \$3,900.00; 1015 for \$4,200.00; and 1016 for \$6,400.00 – for a total of \$14,500.00) drawn on Bank One credit line account xxxxxx5844 in the name of Jody and Keith Chubbs. Each of these three Bank One checks was signed by Chubbs. The Citizens Bank investigator provided surveillance photographs of Chubbs making bank transactions on account xxxxxx1584 on April 11, 2007.
6. Between April 11 and April 18, 2007, Chubbs made several ATM withdraws and point of sale purchases throughout Delaware using funds from the Citizen Bank account xxxxxx1584. On April 18, 2007, all the aforementioned Bank One checks

(#s 1013, 1015, and 1016) were returned for insufficient funds. As a result of Chubbs' actions, Citizens Bank sustained a financial loss of \$5,393.71.

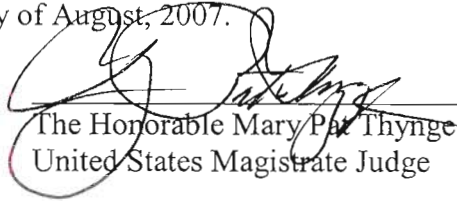
7. On or about June 1, 2007, the DSP Financial Crimes Unit was contacted by an investigator employed by Sun National Bank, regarding a financial loss sustained by Sun National Bank as a result of Chubbs' actions.
8. Specifically, on April 18, 2007 and April 26, 2007, Chubbs opened two business accounts, account numbers xxxxxx5536 and xxxxxx5549, respectively, at the Sun National Bank branch office in Bear, Delaware. Both of these commercial accounts were opened in the name of "Chubbs Towing LLC."
9. On or about April 26, 2007, Chubbs deposited into Sun National Bank account #xxxxxxx5536 Bank One check # 1018 in the amount of \$7,540.00, drawn on Bank One credit line account xxxxxx5844 in the name of Jody and Keith Chubbs. Chubbs was photographed depositing the \$7,540.00 check. This check subsequently was returned for insufficient funds.
10. On or about May 23, 2007, Chubbs deposited three additional checks into Sun National Bank account #xxxxxxx5536. Bank One check #1020, in the amount of \$4,200.00, was drawn on Bank One credit line account xxxxxx5844 in the name of Jody and Keith Chubbs and was returned for insufficient funds. Citizen Bank check #1029, in the amount of \$6,990.00, was returned as being drawn on a closed account. Chubbs was photographed depositing these two checks. The third check was drawn on an Artisans Bank account opened on May 22, 2007 by Chubbs and was a starter check in amount of \$9,420.00. An Artisans Bank investigator had restricted activity on this account shortly after it was opened, because the account was applied for by Chubbs using a social security number that was not assigned to her.
11. Beginning soon after the accounts were opened and through May 2007, Chubbs made numerous purchases and withdrawals throughout Delaware from the Sun National Bank accounts, including but not limited to multiple purchases/withdrawals at Dover Downs, located at 1131 N. DuPont Highway, Dover, Delaware. While each of the above four checks was deposited into account #xxxxxxx5536, a portion of those funds were moved into account xxxxxx5549 and withdrawn by Chubbs from that account. As a result of Chubbs' actions Sun National Bank sustained a loss of \$21,745.00.
12. Chubbs did not respond to "10 Day Demand" letters received from Citizens Bank and Sun National Bank and further refused to speak with the Sun National Bank personnel investigating the delinquent accounts.

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knowingly executed and attempted to execute a scheme and artifice to defraud and to obtain moneys, funds, and assets owned by and under the custody and control of Sun National Bank, a financial institution the deposits of which are and were then insured by the Federal Deposit Insurance Corporation, in violation of 18 United States Code, Section 1344.



Michael S. Armstrong
Special Agent
U.S. Secret Service

Subscribed and sworn to before me this 7 day of August, 2007.



The Honorable Mary Pat Thyng
United States Magistrate Judge